

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Transport Department – Public Servants – Punishment of withholding of three annual grade increments with cumulative effect imposed against Sri Md. Rafeeq, Administrative Officer, and Sri K. Papaiah, Sr. Asst., - O.As filed – O.A. allowed – Punishments set aside – Instructions issued to initiate action afresh – Further O.As filed – O.As allowed – Dropping of further action – Orders – issued.

=====

TRANSPORT, ROADS & BUILDINGS (VIG.III.1) DEPARTMENT

G.O.Rt.No. 15,

Dated: 04.01.2013

Read the following:

1. Enquiry Report Dt. 15.06.07 submitted by Deputy Transport Commissioner & Enquiry Officer, Nellore.
2. Proc.R.No. 2676/V4/2006-1&2, Dt. 24.03.2009 of Transport Commissioner, Andhra Pradesh, Hyd.
3. From Sri Md. Rafeeq, Sr. Asst., representation Dated 25.05.2009.
4. From Sri K. Papaiah, formerly Jr. Asst., representation Dated 25.05.2009.
5. Orders of the Hon'ble APAT, Dated 23.06.2010 in O.A.Nos. 679 & 2071 of 2010.
6. Govt. Memo No. 18035/Vig.III(1)/2007-12, Dated 25.07.2011.
7. Orders of Hon'ble APAT dated 20.09.2011 in O.As No. 4763 & 4716 of 2009 filed by Sri Md. Rafeeq, A.O. & Sri K. Papaiah, Sr. Asst.
8. From Transport Commissioner, Andhra Pradesh, Hyderabad Lr. No. 2676/V4/2004, Dated 19.01.2012.

O R D E R :

On the allegation of fraudulent insertion of certain unauthorized entries in driving licence, disciplinary proceedings have been initiated against Sri K. Papaiah, Sr. Asst., Sri Md. Rafeeq, Jr. Asst., along with other.

2. In the reference 1st read above, the Enquiry Officer in her report inter-alia held that the charges framed against Sri K. Papaiah and Sri Md. Rafeeq as not proved. However, after examining enquiry report, the disciplinary authority disagreed with the findings of Enquiry Officer and a punishment of withholding of three annual grade increments with cumulative effect was imposed against Sri Md. Rafeeq, Sr. Assistant and Sri K. Papaiah, Junior Assistant vide proceedings 2nd read above.
3. In the reference 3rd and 4th read above, against the said punishmentls, Sri Md. Rafeeq, Sr. Assistant and Sri K. Papaiah, Junior Assistant filed appeal petitions before the Government and also filed O.A.No. 679 & 2071 of 2010 before the Andhra Pradesh Administrative Tribunal.
4. In its common orders 5th read above, the Hon'ble Tribunal, while allowing the O.As set aside the punishments.

P.T.O.

::2::

5. Government after careful examination of the matter advised the Transport Commissioner, Andhra Pradesh, Hyderabad to cancel the earlier punishment orders issued vide reference 2nd read above and also to initiate disciplinary proceedings afresh against Sri Md. Rafeeq, Sr. Assistant and Sri K. Papaiah, Jr. Assistant, duly framing the specific charges vide memo 6th read above.

6. In his letter 8th read above, the Transport Commissioner, Andhra Pradesh, Hyderabad has informed that Sri Md. Rafeeq, Administrative Officer and Sri K. Papaiah, Sr. Asst., have filed O.As 4763 & 4716 of 2009 with a prayer to declare the action of the respondents in not releasing the increments to the applicants during the suspension period as illegal, arbitrary and void being violative of FR.24 as per the orders of this Hon'ble Tribunal and as well as Hon'ble High Court Judgement; that the Andhra Pradesh Administrative Tribunal in its common orders 7th read above, while disposing of the O.As directed to release Annual Grade Increments from the date of suspension till their reinstatement and pass appropriate orders releasing the increments with in a period of 4 weeks from the date of receipt of a copy of the order. The Transport Commissioner, Andhra Pradesh, Hyderabad has therefore requested the Government to indicate the further course of action to be taken in the matter.

7. Government after careful examination of the matter, have opined that there is no alternative except to implement the orders of Hon'ble Tribunal and therefore decided to drop further action against Sri Md. Rafeeq, Administrative Officer and Sri K. Papaiah, Sr. Asst.

8. Accordingly, Government hereby drop further action against Sri Md. Rafeeq, Administrative and Sri K. Papaiah, Sr. Asst.

9. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. LAKSHMI PARTHASARATHY,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Individuals through Transport Commissioner, Andhra Pradesh, Hyderabad.

The Transport Commissioner, Andhra Pradesh, Hyderabad.

Copy to :

The Secretary to Andhra Pradesh Vigilance Commission, Hyderabad.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER.